

Edward Saenz, Jr.
461 5th Ave # 20
San Diego, CA 92101

NUNC PRO TUNC

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**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT FOR THE
STATE OF CALIFORNIA**

BY RM DEPUTY

In r EDWARD SAENZ, JR.

On Writ of Habeas Corpus

IN PROPRIA PEROSNA /

CIV - 08CV 05666 WQH (JMA)
HC No. _____
Sup.Ct. No. _____
FIRST AMENDED
WRIT OF HABEAS CORPUS FOR
PETITION FOR REVIEW (DE NOVO)

Defendant now comes before the Court in the above-entitled matter for "review" and continuation [de novo] under clause of a Writ of Habeas Corpus and it's declaration thereof and herein; within a meaning of a "formal *investigation* into the facts related to his claims, allegations and other declarations of the findings with specificity of law and regulations, including the decision to grant or deny.

The defendant has been denied this "*formal investigation*" under the clause of the law throughout the judicial process before this higher court, whom thus has the authority to change this and grant such cert. Whereas, he comes before this Court today in consideration by submitting his [de novo] petition and its declaration, thereby, asking the Court to what is legal, moral, and right, opposed to the other Court's and return his petition granted.

Thereby, the defendant request this Court assert its powers and adhere to those the lower Court's have not, thus follow the scope of the law and the on the merits submitted beforehand, and its furtherance of justice for the wrongs continually suffered by the indifference of the judicial system, all while allowing others the right of passage, thereby, violating the Constitution and not allow him liberty, creating a prejudicial mean.

It is important to recognize that the defendant has been attempting to ascertain his claims pursuant to his petition in lieu of the Superior; Appellate; and ultimately California Supreme Court with no prevail and have become and inappropriate method, and once again stands on the Merits submitted, thus validating the law and this Court can uphold the Constitution and correct the lower Court's. Otherwise leaving the defendant without cause and helpless.

Thereby, granting issuance f the defendant's petition and ordering compliance with the Sentence Court to correct and "Amend" the Abstract of Judgment ("AoJ") would be of great advantage to all parties.

Also, the defendant moves this Court will adequately and effectively provide a "review" which includes the necessary motion, documentation, and such from the defendant thus, moving forwarding, if necessary. The defendant is without remedy save by this Writ.

Additionally, the defendant does not attempt to tell the Court what to do, however, the Court should not be judging by "external" factors or "standard(s)", but "true" (i.e., Constitutional) standards.

Further, no matter the outcome, **HOFESHEIER: STOW:** among others that have set presentment, there is a Constitutional boundary that has been met and shall be agreed with that those individuals were relieved of the duty of registration requirements after signing a plea agreement, just as I signed a plea and should be allowed the same Constitutional right of removal.

However, the defendant has been placed in "another" category and continually denied Constitutional rights and entitlement of sex registration requirement removal. Thereby, his liberty has been restricted. This is nothing more than a requirement nor is contract by the Constitution, and should have the freedom accordingly as otherwise in the similar categories that have had theirs removed.

This declaration and its attachments are submitted in conjunction with previous motion(s) and documentation to provide a sound judgment of granting cert for the Court under the guidelines of the Constitution. This should not be a "battle of the wills", but what is Constitutional and right among other patriots of America, the laws, and to just to those adherence to by other Court's. The defendant continually fights an upheaval battle with the judicial system against him and being on parole, thus keeping within the confounds of conditions, yet manages to pull through, however, still gets penalized for attempting to make each and every deadline, including being expected to now each law as if a trained professional is impossible and unforgiving by the Court's and unrealistic.

The defendant declares under the penalty of perjury that the foregoing is true and correct, and its declarations was executed on this 12th day of APRIL 2008, in San Diego, California.